



August 26, 2019

**VIA ECFS**

Chairman Ajit Pai  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

**Re: Ex Parte Communications, Universal Service Contribution  
Methodology, WC Docket No. 06-122; FCC 19-46**

Dear Chairman Pai,

The Tennessee School Boards Association ("TSBA") has reviewed the Notice of Proposed Rulemaking ("NPRM") referenced above. Under this proposal, paragraphs twenty-four (24) and twenty-five (25) in the NPRM contemplate combining the E-Rate and Rural Health Care ("RHC") budgets. TSBA would like to ensure we understand the intent of these paragraphs and how they interact with the other provisions in the NPRM.

Our understanding is that E-Rate and RHC would potentially share a combined cap as long as demand for either program did not exceed the established combined cap. If demand for either the E-Rate program or the RHC program is greater than the program's individual cap, the program exceeding its individual cap could utilize funds from the combined cap so long as doing so would not encroach upon the funds demanded by the other program.

For example, if demand for RHC exceeded the individual program cap, but E-Rate did not exceed its individual program cap, then RHC could access funds available under the combined cap. Conversely, if demand for E-Rate exceeded its individual program cap, then E-Rate could use funds still available under the combined cap provided that demand for RHC funds did not exceed the RHC individual program cap. Further, if demand for both programs met their individual program cap, neither fund could out-prioritize the other. Is this the correct interpretation of these paragraphs in the NPRM?

Additionally, we would like to commend the staff at the Wireline Competition Bureau. We recently contacted the Bureau with a question, and the staff was very responsive, respectful, and knowledgeable.

Thank you for your time and dedication. We look forward to your response.

Respectfully,

A handwritten signature in blue ink, appearing to read "Ben Torres", is written over a horizontal line.

Ben Torres  
TSBA Assistant Executive Director and General Counsel

CC: Commissioner Carr and Advisor (via email)  
Commissioner Starks and Advisor (via email)  
Commissioner O'Rielly and Advisor (via email)  
Commissioner Rosenworcel and Advisor (via email)  
Nirali Patel, Advisor to Chairman Pai (via email)  
Kris Monteith (via email)